

opportunity to observe the demeanor of the witnesses and factor that into her determination of the issues.

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the Preliminary Hearing Order of Administrative Law Judge Nelsonna Potts Barnes, dated October 13, 1994, is affirmed.

IT IS SO ORDERED.

Dated this ____ day of December, 1994.

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

- c: David Farris, Wichita, KS
- Robert G. Martin and Phillip D. Greathouse, Wichita, KS
- Nelsonna Potts Barnes, Administrative Law Judge
- George Gomez, Director